

RESPONSE

This is a response to the Office Action dated October 29, 2007. The Examiner rejected claims 51-55, 57-66, 68, 70-88, 90-98, 102, 104-107 and 109-11 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pub 2003/0046161 (“Kamangar”), in view of U.S. Pub 2003/0149938 (“McElfresh”). Claims 64, 70 and 80 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kamangar, in view of McElfresh, and further in view of U.S. Pat. No. 6,714,975 (“Aggarwal”). Claims 71 and 81 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kamangar, in view of McElfresh, further in view of Aggarwal and further in view of U.S. Pub. 2004/0186776 (“Llach”). Lastly, claims 101, 103, and 108 were objected to as being dependent upon a rejected base claim.

The rejections and objections from the Office Action of October 29, 2007 are discussed below. No new matter has been added. Various claims have been amended for clarity. Reconsideration of the application is respectfully requested in light of the above amendments and the following remarks.

I. INVENTOR INTERVIEW

Applicants refute the Examiner’s allegation that “no agreement was reached regarding the proposed claims during the August 30, 2007 telephone interview.” Office Action of 10/29/2007, p. 37. Applicants reaffirm that “the Supervisor Examiner tentatively agreed that the amendments to independent claims 51, 77, and 90, would likely overcome the related art rejections in the Office Action of May 31, 2007, and move the prosecution forward.” Office Action Response of August 31, 2007, p. 12.

II. REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 51-55, 57-66, 68, 70-88 and 90-98, 102, 104-107 and 109-11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kamangar, in view of McElfresh. With this response, independent claims 51, 77, and 90 have been amended for clarity and not for reasons relating to patentability.

Kamangar relates to “a more effective advertising system which orders ads an [sic] a manner that maximizes both their relevance and their economic values...by ad price information and ad performance information.” Kamangar, ¶12. Content, links and search results can not be

valued based on ad price information nor ad performance information, thus, Kamangar does not disclose any method for valuing non-advertising content, links, or search results. Kamangar teaches that “a potential benefit ... is that the search results 614 are maintained as distinct from the ads 618,” thus the search results are not included in the ad valuing/selecting process. Kamangar, ¶51.

Kamangar further teaches that “an ad consumer 130 is a general content server which receives requests for content ... and retrieves the requested content in response.” Kamangar, ¶25. Kamangar does not disclose any system for valuing non-advertising content, or selecting non-advertising content based on a value of the content; in Kamangar the content is merely retrieved when it is requested. Accordingly the content selected in Kamangar is not “determined by an optimization of an actual page value of the web page,” the content does not have “a nominal value,” and the content does not have an actual value based on “based on a nominal value of the page component and an effectiveness of the page component on the web page,” as claimed in amended independent claims 51, 77, and 90. Kamangar does not disclose a system that selects “at least one page component comprising an advertisement” and “at least one page component comprising a non-advertising content,” **based on an actual value** of the web page, advertisement and the non-advertising content, as claimed in amended independent claims 51, 77, and 90.

McElfresh relates to a system for “optimizing placement of ads on a webpage.” McElfresh discloses “[a] generalized content block 42 is shown in the right-center of the page 40” and “[i]n addition, the peripheral blocks for placement of ads, or topic tiles, are arranged in order to maximize revenue generation for the webpage,” thus the content is not included in the arrangement to maximize revenue generation. McElfresh, ¶33. McElfresh does not disclose a system that selects “at least one page component comprising an advertisement” and “at least one page component comprising a non-advertising content,” **based on an actual value** of the web page, advertisement and the non-advertising content, as claimed in amended independent claims 51, 77, and 90.

Applicants respectfully submit that amended independent claims 51, 77, and 90, and all claims that depend thereon, are patentable over Kamangar in view of McElfresh because McElfresh and Kamangar, alone or in combination, fail to disclose all of the elements of amended independent claims 51, 77 and 90.

Dependent claims 64, 70, and 80 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kamangar, in view of McElfresh, and further in view of Aggarwal. As stated above, neither McElfresh nor Kamangar teach a system that selects “at least one page component comprising an advertisement” and “at least one page component comprising a non-advertising content,” **based on an actual value** of the web page, advertisement and the non-advertising content, as claimed. Aggarwal relates to “a method for placing advertisements [sic] web pages.” Aggarwal, Col. 2, line 51. Aggarwal discloses that “a primary object of the present invention is to provide a method for dynamically assigning advertisements to appropriate slots on appropriate web pages.” Aggarwal, Col. 2, ll. 33-35. Aggarwal does not teach a system that selects “at least one page component comprising an advertisement” and “at least one page component comprising a non-advertising content,” **based on an actual value** of the web page, advertisement and the non-advertising content, as claimed in amended independent claims 51, 77, and 90.

Accordingly, Applicants submit that claims 64, 70, and 80 are allowable over Kamangar, in view of McElfresh, and further in view of Aggarwal, because McElfresh, Kamangar, and Aggarwal, alone or in combination, do not disclose all the elements of the independent claims from which they depend.

Dependent claims 71 and 81 were rejected under 35 U.S.C. §103(a) as being unpatentable over McElfresh, in view of Kamangar, further in view of Aggarwal, and further in view of Llach. As stated above, Kamangar, McElfresh and Aggarwal fail to disclose a system that selects “at least one page component comprising an advertisement” and “at least one page component comprising a non-advertising content,” **based on an actual value** of the web page, advertisement and the non-advertising content, as claimed. Llach relates to “a system and method for generating and selecting targeted advertising using price metrics.” Llach, ¶2. Llach discloses that “[t]he targeted advertisement 110 is then selected or generated, embedded within the Web page 100’, transmitted to the user’s system, and displayed on the user’s system along with the results of the user’s request to the search engine, a list of Web sites,” indicating that search results are not included in the advertisement selection. Llach does not teach a system that “at least one page component comprising an advertisement” and “at least one page component comprising a non-advertising content,” **based on an actual value** of the web page, advertisement and the non-advertising content, as claimed in amended independent claims 51, 77, and 90. Applicants submit claims 71 and 81 are allowable because McElfresh, Kamangar,

Aggarwal and Llach, alone or in combination, fail to disclose all of the elements of the independent claims from which they depend.

The Applicants respectfully submit that the references cited by the Examiner, McElfresh, Kamangar, Aggarwal and Llach, relate to systems for valuing advertisements, such as through ad price information and ad performance information. None of the references cited by the Examiner relate to systems for building web pages based on valuing non-advertising page components, such as non-advertising content, links, and search results, in addition to advertisements, as claimed in amended independent claims 51, 77, and 90. Thus, Applicants submit that the amended independent claims 51, 77, and 90, and all claims which depend thereon, are allowable over McElfresh, Kamangar, Aggarwal and Llach, alone or in combination, because none of the references disclose all of the elements of the independent claims.

III. ALLOWABLE CLAIMS

Claims 101, 103, and 108 were objected to as being dependent upon a rejected base claim but would otherwise be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant appreciates the Examiner's indication that these claims would be allowable. However, as dependent claims 101, 103 and 108 depend from independent claims 51, 77 and 90, they should be allowed for the reasons set forth above for the independent claims. Applicants therefore requests that the Examiner withdraw this objection to these claims.

CONCLUSION

Each of the rejections in the Office Action dated October 29, 2007 has been addressed and no new matter has been added. Applicants submit that all of the pending claims are in condition for allowance and notice to this effect is respectfully requested. The Examiner is invited to call the undersigned if it would expedite the prosecution of this application.

Respectfully submitted,

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Date

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